

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE: Peter C. Danis

Debtor

CHAPTER 13

FREEDOM MORTGAGE CORPORATION

Movant

vs.

NO. 18-14785 AMC

Peter C. Danis

Debtor

William C. Miller Esq.

Trustee

11 U.S.C. Section 362

**MOTION OF FREEDOM MORTGAGE CORPORATION  
FOR RELIEF FROM THE AUTOMATIC STAY  
UNDER SECTION 362**

1. Movant is FREEDOM MORTGAGE CORPORATION.

2. Debtor is the owner of the premises 2889 Tremont Street, Philadelphia, PA 19136, hereinafter referred to as the mortgaged premises.

3. Movant is the holder of a mortgage, original principal amount of \$153,645.00 on the mortgaged premises that was executed on July 06, 2016. Said mortgage was recorded on July 15, 2016 at Document No. 53084773. The Mortgage was subsequently assigned to Movant by way of Assignment of Mortgage recorded on February 2, 2018, at Document No. 53324170 in Philadelphia County.

Documentation attached hereto as Exhibit A is provided in support of right to seek a lift of stay and foreclose if necessary.

4. William C. Miller Esq., is the Trustee appointed by the Court.

5. The commencement and/or continuation of the mortgage foreclosure proceedings by reason of non-payment of monthly mortgage payments were stayed by the filing of a Chapter 13 Petition in Bankruptcy by the Debtor.

6. Debtor has failed to make the monthly post-petition mortgage payments in the amount of \$1,039.78 for the months of August 2018 through December 2018 and \$1,037.42 for the months of January 2019 through February 2019.

7. The total amount necessary to reinstate the loan post-petition is \$7,273.74.

8. Debtor is currently delinquent in plan payments to the Chapter 13 Trustee in the amount of \$356.00.

9. Movant is entitled to relief from the automatic stay for cause pursuant to 11 U.S.C. § 362(d).

10. This motion and the averments contained therein do not constitute a waiver by Movant of its right to seek reimbursement of any amounts not included in this motion, including fees and costs, due under the terms of the mortgage and applicable law.

WHEREFORE, Movant prays that an Order be entered modifying the Stay and permitting Movant to proceed with its mortgage foreclosure on the mortgaged premises, and to allow the Sheriff's Grantee to take any legal action to enforce its right to possession of the mortgage premises. Further, Movant prays that an Order be entered awarding Movant the costs of this suit, reasonable attorney's fees in accordance with the mortgage document and current law together with interest.

**/s/Rebecca A. Solarz, Esquire**

Rebecca A. Solarz, Esquire

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